

GARVEY TIRELLI & CUSHNER LTD.

50 MAIN STREET, SUITE 390 • WHITE PLAINS, NEW YORK 10606
PHONE (914) 946-2200 • FAX (914) 946-1300 • www.theGTCFirm.com

Lawrence A. Garvey*
Linda M. Tirelli**
Todd S. Cushner***
Dana S. Chrisomalis***

*Admitted CT, NY, USDCT, SDNY and EDNY
**Admitted CT, USDCT, SDNY and EDNY
***Admitted NY, NJ, USDNJ, SDNY and EDNY

December 9, 2013

Honorable Robert D. Drain
United States Bankruptcy Court
300 Quarropas Street
White Plains, New York, NY 10606

RE: Jeffrey Stuart Niedelman 13-23226(rdd) & 13-08349(rdd) Niedelman v. Vanderbilt Mortgage & Finance, Inc.

Dear Judge Drain:

With the consent of Jody Kava, Esq., I have adjourned all of my cases which were scheduled for December 11, 2013 as I am to have a medical procedure on that day. The procedure is one which came up as suddenly necessary and cannot be put off.

My paralegal has attempted to make contact with John Gable, Esq., via email and telephone to receive his consent of an adjournment for all matters in the above case and did not receive a response until his letter to the court a few minutes ago.

At the last hearing Your Honor suggested that the parties talk and the Debtors make a substantial proposal to Vanderbilt to resolve the debt. Please be advised that my clients did in fact submit a substantial proposal a week ago and we have not received a definitive response. I have also visited Vanderbilt's website and learned that the company does in fact have loss mitigation procedures and offers to assist with delinquent loans through their various programs. I then submitted a request for the court's loss mitigation program hoping that Vanderbilt will allow the Debtors to apply for one of their in house programs and consider the substantial offer submitted, as aforesaid.

I do not usually ask for adjournments on short notice and emailed the trustee for consent on Saturday when my doctor scheduled my procedure for Wednesday. My partners are not familiar with this case and it seems the loss mitigation program may be productive. The Adversary Proceeding is also still pending and the accounting provided by Vanderbilt remains at issue. Loss Mitigation is designed to reduce litigation and it seems that it may be useful here especially since Vanderbilt has programs offered to assist its borrowers.

Please accept this letter as a request to adjourn everything in this case to your first available chapter 13 date, January 15, 2014.

Sincerely,

/s/Linda Tirelli
Linda Tirelli, Esq.

cc: John Gable, Esq.
Jody Kava, Esq.